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TO A NOMITTAL E		Application No.	10/086,410				
TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Filing Date	November 20, 2001				
		First Named Inventor	Paul D. Rietze				
[7		Art Unit	2841				
		Examiner Name	Hung S. Bui				
Total Number of Pages in This Submission Attorney Docket Number 42390P11636							
ENCLO	SURES (chec	k all that apply)					
Fee Transmittal Form	Drawing(s)		After Allowance Communication to Group				
Fee Attached	Licensing-r	elated Papers	Appeal Communication to Board of Appeals and Interferences				
Amendment / Response	Petition		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)				
After Final Affidavits/declaration(s)	Petition to 0 Provisional	Convert a Application	Proprietary Information				
Extension of Time Request  Express Abandonment Request  Information Disclosure Statement  Power of A Change of A C		ttorney, Revocation Correspondence Address	Other Enclosure(s) (please identify below):  - Check for \$180.00 - 1 Cited Reference				
		isclaimer					
		Refund					
PTO/SB/08 CD, Numb  Certified Copy of Priority Document(s)		er of CD(s)	- Copy of IPER - Return Receipt Postcard				
Response to Missing Parts/ Incomplete Application	Danada						
Basic Filing Fee Declaration/POA	Remarks						
Response to Missing Parts under 37 CFR 1.52 or 1.53							
SIGNATURE	OF APPLICAN	IT, ATTORNEY, OR AG	ENT				
Firm Paul A. Mendon	Firm Paul A. Mendonsa, Reg. No. 42,879						
or Individual name BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP							
Signature Hand A Mandons							
Date November 15, 2004							
CERTIFI	CATE OF MAIL	ING/TRANSMISSION					
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.							
Typed or printed name Deborah L. Higham							

Date

November 15, 2004

Signature

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C FEE TO A NOMITTAL		omplete if Known
FEE TRANSMITTAL	Application Number	10/086,410
for FY 2004	Filing Date	November 20, 2001
Effective 10/01/2004. Patent fees are subject to annual revision.	First Named Inventor	Paul D. Rietze
Applicant claims small entity status. See 37 CFR 1.	27. Examiner Name	Hung S. Bui

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Applicant claims small entity status. See 37 CFR 1.27.

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TOTAL AMOUNT OF PAYMENT

METHOD OF PA	MENT (check all that apply)					FEI	E CALCULATION	ON (continue	ed)	
☑ Check ☐ Credit card ☐ Money ☐ Other ☐ None		3. ADDITIONAL FEES								
Deposit Account	Order Other	None	Large	Large Entity   Small Entity						
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Account Blakely, So	okoloff, Taylor & Zafman LL	P	2053	130	2053	130	Non-English specifica	ition		l
The Commissioner is authorize	ed to: ( check all that apply)		1812	2,520		2,520	For filing a request for		nation	
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to the above-identified depo	ow, except for the filing fee sit account		1251	110	2251	55	Extension for reply with	thin first month		
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1. BASIC FILING	FEE		1253	980	2253	490	Extension for reply with	thin third month		
Large Entity Small Entity			1254	1,530	2254	765	Extension for reply wit	thin fourth month		
Fee Fee Fee Fee Code (S)		Paid	1255	2,080	2255	1,040	Extension for reply with	thin fifth month		
			1404	340	2401	170	Notice of Appeal			
	95 Utility filing fee		1402	340	2402	170	Filing a brief in suppo	rt of an appeal		
	75 Design filing fee 75 Plant filing fee		1403	300	2403	150	Request for oral hear	ing		<del>,</del>
	95 Reissue filing fee		1451	1,510	2451	1,510	Petition to institute a	public use proceed	ling	
	80 Provisional filing fee		1452	110	2452	55	Petition to revive - un	avoidable		
		==	1453	1,370	2453	685	Petition to revive - un	intentional		
S	UBTOTAL (1) (\$)		1501	1,370	2501	685	Utility issue fee (or re	issue)		
2. EXTRA CLAIM	FEES <sub>Extra</sub> Feefrom		1502	490	2502	245	Design issue fee			
		Paid	1503	660	2503	330	Plant issue fee			
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Independent Claims 2	6* = 0 x 88.00 =	\$0.00	1807	50	1807	50	Prosessing fee under	37 CFR 1.17(q)		
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1203 300 2203 150	Multiple Dependent claim, if not paid						examined (37 CFR §		·-·	
1204 88 2204 44	**Reissue independent claims over original patent		1801	790	2801	•••	Request for Continue	,	·E)	
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1205 18 2205 9 **Reissue claims in excess of 20 and over original patent				e (specify)			<u> </u>			
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**or number previously paid, if greater, For Reissues, see below			*Reduced!	by Basic Filing	Fee Paid		5	SUBTOTAL (3)	(\$)	180.00
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Art Unit

Attorney Docket No.

2841 42390P11636

NOV 1 7 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application for:

Paul D. Rietze, et al.

Application No.: 10/086,410

Filed: November 20, 2001

For: A COMMON BOOT ENVIRONMENT FOR A

MODULAR SERVER SYSTEM

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Art Group: 2841

Examiner: Hung S. Bui

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97

Dear Sir:

Pursuant to Rule 1.97(d)(1), Applicants desire to disclosure the references set forth on the attached Form PTO/SB/08 pursuant to their duty of candor and good faith under 37 C.F.R. § 1.56.

Applicants recently became aware of the cited art during the prosecution of the patent application. The cited art is listed on Form PTO/SB/08 which is enclosed with a copy of the cited art listed therein.

As set forth under Rule 1.97(e)(1), the undersigned attorney hereby states that the item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to filing the Information Disclosure Statement.

The reference was cited in an International Preliminary Examination Report forwarded to Applicant's Representative in a communication dated September 30, 2004.

The fee set in the amount of \$180.00 for submission of the Information Disclosure Statement is enclosed herewith. Please charge any additional fees due to Deposit Account No. 02-2666. A duplicate fee transmittal is enclosed for this purpose.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN, LLP

Date: Nov 15, 2004

12400 Wilshire Boulevard Seventh Floor Los Angeles, CA 90025 (503) 439-8778

I hereby cortify that the United States Pospostage in an envelop P.O. Bex 1000, Alexandrian and the state of	stal Service a pe addressed	s first cla	ass mail with si	ufficie
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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

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Sheet 1 of

Complete if Known				
Application Number	10/086,410			
Filing Date	November 20, 2001			
First Named Inventor	Paul D. Rietze			
Art Unit	2841			
Examiner Name	Hung S. Bui			
Attorney Docket Number	42390P11636			

U.S. PATENT DOCUMENTS							
	Document Number		Publication Date		Pages Columns Lines Where		
Examiner Initials*	Cite No.'	Number - Kind Code² (if known)	or Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
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FOREIGN PATENT DOCUMENTS								
Examiner	Cite	Foreign Patent Document			Pages, Columns, Lines,	76		
Initials*	No.1	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T°		
	1	EP 1 126 369 A2	08-22-2001	International Business Machines Corp.				
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Examiner	Date	
Signature	Considered	

Based on PTO/SB/08A (08-03) as modified by Blakely, Solokoff, Taylor & Zafman (wlr) 08/11/2003.

<sup>\*</sup>Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

<sup>&#</sup>x27;Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. <sup>2</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>4</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>4</sup>Applicant is to place a check mark here if English language Translation is attached.